

ZB# 01-10

Robert Zupitza

39-2-28

Pelham.

May 14, 2001
(Aps. handed out 3/27/01)

Public Hearing:

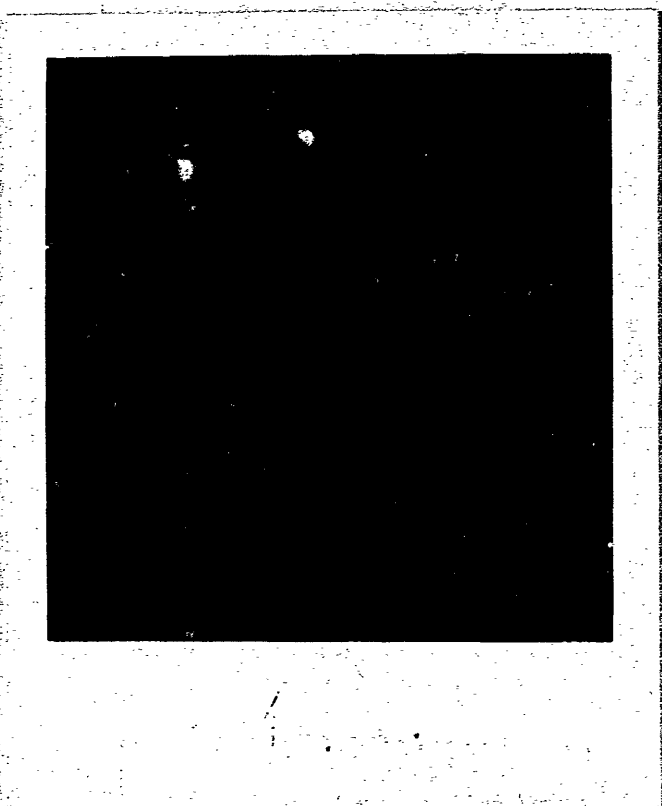
June 11, 2001

Granted

Refund
\$203.00

01-10- Zupitzia, Robt.

Area 39-2-28



Washburn Associates
44-52 Route 9W
New Windsor, N.Y.

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

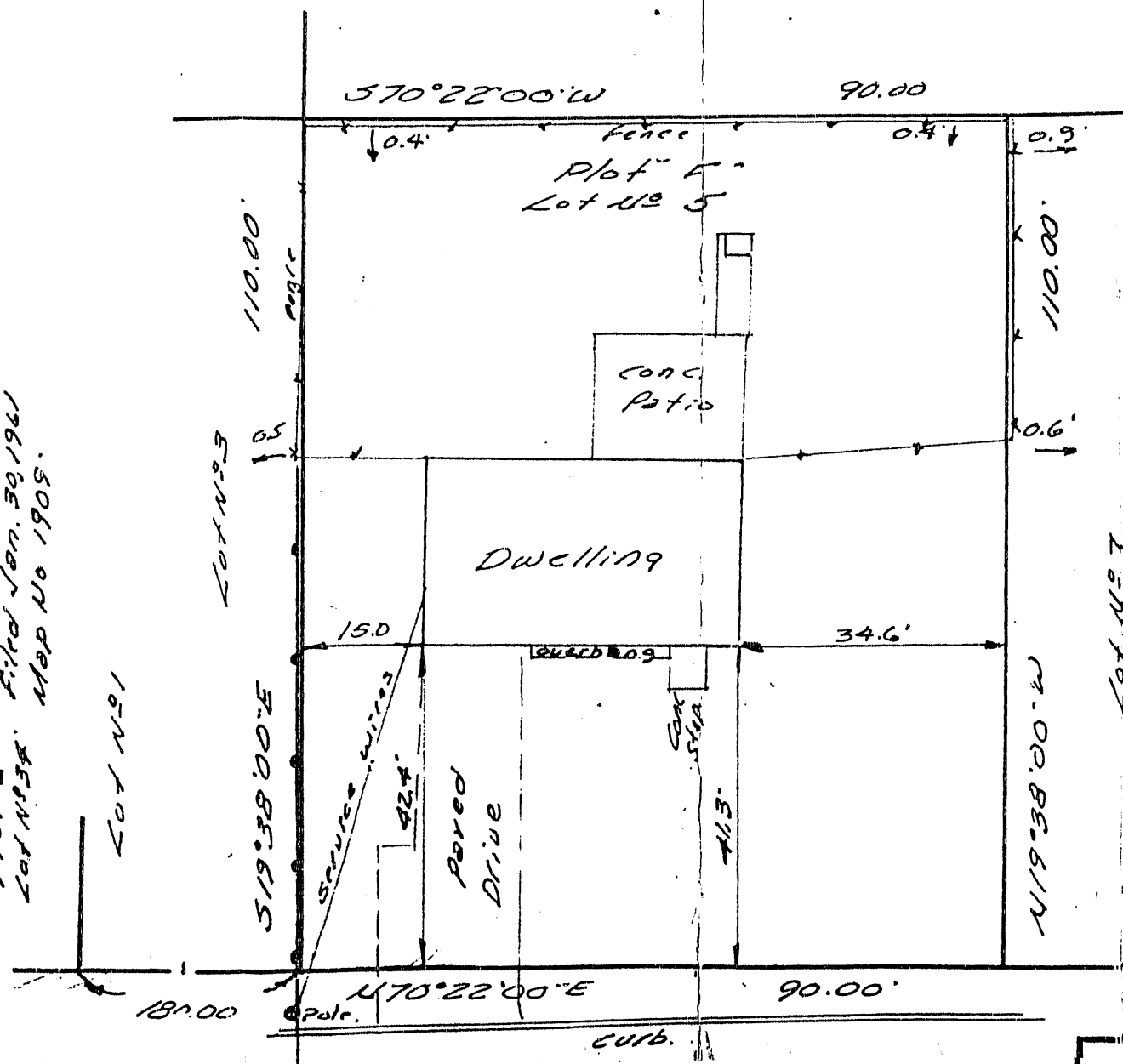
"Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies."



Robert Zupitza
Therese Zupitza
Michael Davidson
Karen Davidson
Ulster Savings Bank
its successors and assigns.
American Title Insurance Co.
certified true and correct
as shown hereon.

Ronald A. Washburn
Lic. No. 48368

Plot "E"
Lot N^o 5
"Willow Acres"
Filed Jan. 30, 1961
Map No. 1936



Valewood Drive
(50' wide)

Town of New Windsor Tax Map
Section 39 Block 3 Lot 28
Map Reference:
"Willow Acres"
Filed October 26, 1961
Map No. 1936

Survey Map For

Robert Zupitza
Therese Zupitza

SCALE: 1"=20'	APPROVED BY:	DRAWN BY
DATE: Sept. 3, 1987		REVISED
Town of New Windsor Orange Co., N.Y.		
		DRAWING NUMBER 4075

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Zupitza, Robt.

FILE# 01-10

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X

USE _____

APPLICATION FOR VARIANCE FEE.....\$ 50.00

5416
paid 02/23/01.

ESCROW DEPOSIT FOR CONSULTANT FEES.....\$ 300.00

5415
paid 05/23/01.

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 5/14/01 - 3.....\$ 13.50

2ND PRELIMINARY- PER PAGE 6/14/01 - 3.....\$ 13.50

3RD PRELIMINARY- PER PAGE.....\$ _____

PUBLIC HEARING - PER PAGE.....\$ _____

PUBLIC HEARING (CONT'D) PER PAGE.....\$ _____

TOTAL.....\$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 5/14/01.....\$ 35.00

2ND PRELIM. 6/14/01.....\$ 35.00

3RD PRELIM.....\$ _____

PUBLIC HEARING.....\$ _____

PUBLIC HEARING (CONT'D).....\$ _____

TOTAL.....\$ 70.00

MISC. CHARGES:

.....\$ _____
TOTAL.....\$ 97.00

LESS ESCROW DEPOSIT.....\$ 300.00

(ADDL. CHARGES DUE).....\$ _____

REFUND DUE TO APPLICANT..\$ 203.00

[illegible]

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#480-2001**

05/23/2001

Golden Touch Home Improvement ZBA #01-10

**Received \$ 50.00 for Zoning Board Fees on 05/23/2001. Thank you for stopping by
the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

GOLDEN TOUCH HOME IMPROVEMENT
5 VALEWOOD DRIVE
NEW WINDSOR, NY 12553
914-565-2696

5415

Date May 23, 2001 29-7003/2213
469

Pay to the
Order of

Town of New Windsor \$ 300.00
Three Hundred Dollars



Visit Our Branch

**CHARTER ONE
BANK**

For

ZBA #01-10

Robert Zupitza

⑆ 221370030⑆ ⑆ 4690016138⑆ 5415

© Charter America, Inc.

GUARDIAN® SAFETY BLUE DEBIT

WOOD DRIVE
NEW WINDSOR, NY 12553
914-565-2696

HOME IMPROVEMENT

5416

Date May 23, 2001 29-7003/2213
469

Pay to the
Order of

Town of New Windsor \$ 50.00
Fifty



CHARTER ONE
BANK

Dollars

For 25A #01-10

⑆221370030⑆ ⑆4690016138⑆

5416

Robert Zupitza

GUARDIAN SAFETY BLUE DEB

In the Matter of the Application of

ROBERT ZUPITZA

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES

#01-10.

WHEREAS, ROBERT ZUPITZA, residing at 5 Valewood Drive, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for a 16 ft. rear yard variance for a deck, 9 ft. side and rear yard variances for an existing shed and an 11 ft. rear yard variance for an existing deck at the above residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 11th day of June 11, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicant seeks variances for an existing shed on the premises.

(c) The shed has been in existence for four or five years and there have been no complaints, neither formal or informal.

(d) Neither structure creates any water hazards, including the ponding or collection of water and water drainage.

(e) Other homes in the neighborhood have similar shed and decks.

(f) Neither shed nor decks are constructed on top of any water or sewer easements. Nor are they constructed on the top of any well or septic systems.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

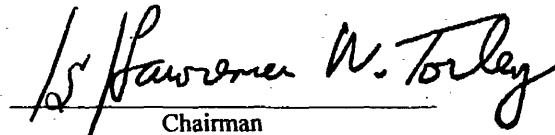
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for 16 ft. rear yard variance for a proposed deck, 9 ft. side and rear yard variances for an existing shed and an 11 ft. rear yard variance for an existing deck, at the above residence in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 13, 2001.


Chairman

Date 7/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
6/11/01		Zoning Board mtg	75 00	
		Misc. 2		
		Bibles - 3		
		DeFazio - 3		
		Mirecki - 6		
		Lawrence Lorenzen - 3		
		Lorgan - 3		
		Bittles - 4		
		Thomas - 3		
		Morris - 7		
		Zupitza - 3 3 13.50		
		38	171 00	
			246 00	

PUBLIC HEARING:

ZUPITZA, ROBERT

MR. TORLEY: Request for 9 foot side yard and total side yard for an existing shed, plus 16 foot rear yard variance for proposed deck at 5 Valewood Drive in an R-4 zone.

Mr. Robert Zupitza appeared before this board for this proposal.

MR. TORLEY: Public hearing. I see there is no one in the audience for this matter. How many letters where sent out?

MS. BABCOCK: There was 87 envelopes sent out on May 24th.

MR. ZUPITZA: I'm putting a deck and I've got on existing shed.

MR. TORLEY: The shed is what is causing the side yard variance request?

MR. ZUPITZA: Yes.

MR. TORLEY: And it would be economically infeasible to move the shed?

MR. ZUPITZA: Right.

MR. KANE: How long has this shed been existing?

MR. ZUPITZA: Four or five years.

MR. KANE: Any water drainage problems from the shed being there?

MR. ZUPITZA: No.

MR. KANE: Any complaints formally or informally?

MR. ZUPITZA: No.

MR. TORLEY: Other houses in your neighborhood have similar kinds of sheds?

MR. ZUPITZA: Yes.

MR. TORLEY: And similar kinds of decks?

MR. ZUPITZA: Yes.

MR. KANE: And the 16 foot rear yard variance for the deck is the minimum that you need?

MR. ZUPITZA: Yes. I left myself maybe a foot just to play it safe.

MR. KANE: What size is the deck that you're putting in?

MR. ZUPITZA: 36 by 18.

MR. TORLEY: 18 feet deep and 36 feet longways?

MR. ZUPITZA: Right. I've got side fine, side fine. Just the back.

MR. KANE: Putting in the deck you're not going to create any water hazard or runoff?

MR. ZUPITZA: No. There was a pre-existing deck there which I took down through my refinance.

MR. TORLEY: If the deck was not there, then egress from the back of the house would be unsafe? How far off the ground is the deck?

MR. ZUPITZA: Couple feet.

MR. TORLEY: If you open the back door and absent the deck, you would fall?

MR. ZUPITZA: Yeah.

MR. McDONALD: So someone would get hurt?

MR. ZUPITZA: Yes.

MR. TORLEY: So it's a safety hazard --

MR. ZUPITZA: Yes.

MR. KRIEGER: It's not built on the top of any water or sewer easements?

MR. ZUPITZA: No.

MR. KRIEGER: Any well or septic system?

MR. ZUPITZA: No.

MR. KANE: Mr. Chairman, accept a motion?

MR. TORLEY: Yes.

MR. KANE: I move we grant his variance at 5 Valewood Drive.

MR. McDONALD: Second.

ROLL CALL

MR. RIVERA	AYE
MR. McDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

(An off-the-record discussion was held.)

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/26/01

REVISED: 5/15/01

APPLICANT: Robert Zupitza
5 Valewood Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 18x36 Rear Deck Permit

LOCATED AT: 5 Valewood Drive

ZONE: R-4 Sec/ Blk/ Lot: 39-3-28

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed rear deck does not meet minimum 40ft rear yard set-back.


BUILDING INSPECTOR

PERMITTED 40ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-G

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

24ft

16ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A.. APPLICANT. FILE, W/ ATTACHED MAP

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

pg. 2 of 2

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/26/01

APPLICANT: Robert Zupitiza
5 Valewood Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 16x20 Rear Deck Permit

LOCATED AT: 5 Valewood Drive

ZONE: R-4 Sec/ Blk/ Lot: 39-3-28

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing rear deck does not meet minimum 40ft rear yard set-back.


BUILDING INSPECTOR

PERMITTED 40ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-G

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

29ft

11ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A.. APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAR 21 2081

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2001-~~194~~

194

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ROBERT ZUPITZA

Address 5 VALEWOOD DRIVE Fax _____
Phone 565-2696

Mailing Address SAME

Name of Architect _____

Address _____ Phone _____

Name of Contractor ROBERT ZUPITZA

Address SAME AS ABOVE Phone 565-2696

State whether applicant is owner, lessee, agent, architect, engineer or builder

OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer) _____

1. On what street is property located? On the NORTH side of VALEWOOD DR.
(N, S, E or W)
and 500 feet from the intersection of VALEWOOD DR. & HARTH DR.

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N 0

3. Tax Map Description: Section 39 Block 3 Lot 28

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy DECK b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories EXISTING DECK 16x20'

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$1000.00 Fee _____

PAID

\$50 CH #5359



U

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/22/01

REVISED: 5/15/01

APPLICANT: Robert Zupitza
5 Valewood Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing ~~8x10~~ shed 10 X 12

LOCATED AT: 5 Valewood Drive

ZONE: R-4 Sec/ Blk/ Lot: 39-2-28

DESCRIPTION OF EXISTING SITE: Existing One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 8x10 shed does not meet minimum 10ft side and 10ft rear yard set-back.


BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

1ft

9ft

REQ'D TOTAL SIDE TD:

1ft

9ft

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

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MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 3/22/01

APPLICANT: Robert Zupitza
5 Valewood Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 8x10 shed

LOCATED AT: 5 Valewood Drive

ZONE: R-4 Sec/ Blk/ Lot: 39-2-28

DESCRIPTION OF EXISTING SITE: Existing One Family House

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 8x10 shed does not meet minimum 10ft side and 10ft rear yard set-back.


BUILDING INSPECTOR

PERMITTED 10ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

2ft

8ft

REQ'D TOTAL SIDE TD:

~~2ft~~

~~8ft~~

REQ'D REAR YD:

2ft.

8ft.

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A.. APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation Inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAR 21 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2001-195

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Robert Zupitza

Address

5144 Wood Drive

Fax

Phone

565-2696

Mailing Address

Same

Name of Architect

Address

Phone

Name of Contractor

Robert Zupitza

Address

Same

Phone

565-2696

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the NORTH side of VALEWOOD DR.
(N, S, E or W)
and 500 feet from the intersection of VALEWOOD DR & HARTH DR.

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y N 0

3. Tax Map Description: Section 39 Block 3 Lot 28

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

6. Is this a corner lot? _____

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories EXISTING SHED (8'x10')

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$3000.00 Fee _____

PAID

\$50 - ch# 5359

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X
In the Matter of the Application for Variance of

Robert Zupitza

#01-10.

AFFIDAVIT OF
SERVICE
BY MAIL

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 24th day of May, 2001, I compared the 87
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

May 19, 2001

87.

Robert Zupitza
5 Valewood Drive
New Windsor, NY 12553

Re: 39-3-28

Dear Mr. Zupitza:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$105.00, minus your deposit of \$25.00.

Please remit the balance of \$80.00 to the Town Clerk's Office.

Sincerely,

R. Cook

Leslie Cook
Sole Assessor

LC/lrd

CC: Pat Corsetti, ZBA

39-4-31
Eleanor Harris
4 Birchwood Drive
New Windsor, NY 12553

39-4-32
Harriet O'Dell
2 Birchwood Drive
New Windsor, NY 12553

39-4-33
Arlene Swint
1 Hudson Drive
New Windsor, NY 12553

39-4-34
Audrey & Harry Tompkins III
26 Harth Drive
New Windsor, NY 12553

39-4-35
Linda Lydia Linarello
Gregory Simoskevich
28 Harth Drive
New Windsor, NY 12553

39-4-36
Carl & Hazel Pavlik
30 Harth Drive
New Windsor, NY 12553

39-5-1
Eric & Celine Maxwell
1 Birchwood Drive
New Windsor, NY 12553

39-5-2
Lois Burt
3 Birchwood Drive
New Windsor, NY 12553

39-5-3
Janet Smedes
Kristen Ehrens
5 Birchwood Drive
New Windsor, NY 12553

39-5-4
Aydogan & Nazire Fuat
7 Birchwood Drive
New Windsor, NY 12553

39-5-29
Vincent Pacella
7 Hudson Drive
New Windsor, NY 12553

39-5-30
Manuel & Diana DeSousa
5 Hudson Drive
New Windsor, NY 12553

39-5-31
Raymond & Janet Sullivan
3 Hudson Drive
New Windsor, NY 12553

38-3-13
Mary Jane Miller
39 Harth Drive
New Windsor, NY 12553

38-3-14
Max & Helen Skyer
37 Harth Drive
New Windsor, NY 12553

38-3-15
Clarence & Mary Johnson
35 Harth Drive
New Windsor, NY 12553

38-3-16
Kenneth & Marion Palmer
33 Harth Drive
New Windsor, NY 12553

38-3-17
Eric Boggs
31 Harth Drive
New Windsor, NY 12553

38-3-18
David Passaro
29 Harth Drive
New Windsor, NY 12553

38-3-19
Charles & Doris Rogers
27 Harth Drive
New Windsor, NY 12553

38-3-20
Cynthia Jones
25 Harth Drive
New Windsor, NY 12553

38-3-21
John Cich
Carol Ramsey-Cich
23 Harth Drive
New Windsor, NY 12553

38-3-22
Felice Graziano
21 Harth Drive
New Windsor, NY 12553

38-3-45
Paul Demeo
18 Willow Parkway
New Windsor, NY 12553

38-3-46
Michael & Ann Smith
20 Willow Parkway
New Windsor, NY 12553

38-3-47
James & Patricia Chick
22 Willow Parkway
New Windsor, NY 12553

38-3-48
John & Barbara Fanning
24 Willow Parkway
New Windsor, NY 12553

39-3-4
Joseph Gatt
6 Cresthaven Drive
New Windsor, NY 12553

X

39-3-26
Dawn Olszewski
9 Valewood Drive
New Windsor, NY 12553

X

39-4-6
Phyllis Scherf
10 Valewood Drive
New Windsor, NY 12553

X

39-3-5
Carlos & Virgenmina Gomez
8 Cresthaven Drive
New Windsor, NY 12553

X

39-3-27
James & Donna Pullar
7 Valewood Drive
New Windsor, NY 12553

X

39-4-7
Richard & Angela Collery
12 Valewood Drive
New Windsor, NY 12553

X

39-3-6
Joseph & Lynne Palermo
10 Cresthaven Drive
New Windsor, NY 12553

X

39-3-29
Thomas & Elena Sears
3 Valewood Drive
New Windsor, NY 12553

X

39-4-8
Michael & Janice Suchowiecki
14 Valewood Drive
New Windsor, NY 12553

X

39-3-7
Robert & Janet Mascitelli
12 Cresthaven Drive
New Windsor, NY 12553

X

39-3-30
William Post
1 Valewood Drive
New Windsor, NY 12553

X

39-4-9
Dennis & Karin Guiney
16 Valewood Drive
New Windsor, NY 12553

X

39-3-8
John Sr. & Candace Bennett
14 Cresthaven Drive
New Windsor, NY 12553

X

39-3-31
Dennis Crawshaw
34 Harth Drive
New Windsor, NY 12553

X

39-4-25
Warren Tavetian
16 Birchwood Drive
New Windsor, NY 12553

X

39-3-9
George & Gladys Brooks
16 Cresthaven Drive
New Windsor, NY 12553

X

39-4-1
Harold & Karole Green
32 Harth Drive
New Windsor, NY 12553

X

39-4-26
Matthew Satenberg
Jacqueline Betz
14 Birchwood Drive
New Windsor, NY 12553

X

39-3-22
Salvatore Vecchio
17 Valewood Drive
New Windsor, NY 12553

X

39-4-2
Carl & Elizabeth Seagren
2 Valewood Drive
New Windsor, NY 12553

X

39-4-27
Henry & Mary Puglisi
12 Birchwood Drive
New Windsor, NY 12553

X

39-3-23
William & Eleanora Hightower
15 Valewood Drive
New Windsor, NY 12553

X

39-4-3
Roy & Dolores DeWitt
4 Valewood Drive
New Windsor, NY 12553

X

39-4-28
Dennis & Virginia Monahan
10 Birchwood Drive
New Windsor, NY 12553

X

39-3-24
Sisto & Lena Salbucci
13 Valewood Drive
New Windsor, NY 12553

X

39-4-4
Rosemary Coyle
6 Valewood Drive
New Windsor, NY 12553

X

39-4-29
Roy & Lucille Coleman
8 Birchwood Drive
New Windsor, NY 12553

X

39-3-25
Kenneth & Rosalie Parker
11 Valewood Drive
New Windsor, NY 12553

X

39-4-5
Louis & Marion Randall
8 Valewood Drive
New Windsor, NY 12553

X

39-4-30
John & Eunice McKee
6 Birchwood Drive
New Windsor, NY 12553

X

39-1-2
Earl & Maripat Barnes
47 Harth Drive
New Windsor, NY 12553

X

39-2-4
David & Barbara Ann Evans
48 Harth Drive
New Windsor, NY 12553

X

39-2-21
Kenneth & Maureen Smith
9 Cresthaven Drive
New Windsor, NY 12553

X

39-1-3
James Jr. & Doris Greenwood
49 Harth Drive
New Windsor, NY 12553

X

39-2-5
Leroy & Lorraine Langer
50 Harth Drive
New Windsor, NY 12553

X

39-2-22
Paul & Lois Gagliardi
7 Cresthaven Drive
New Windsor, NY 12553

X

39-1-4
Kevin Corbett
Susan Dale
51 Harth Drive
New Windsor, NY 12553

X

39-2-6
Christopher & Kathleen Marie Kelly
52 Harth Drive
New Windsor, NY 12553

X

39-2-23
Joseph Jr. & Stephanie Leechow
5 Cresthaven Drive
New Windsor, NY 12553

X

39-1-5
Gregory & Karen VanDenBerg
53 Harth Drive
New Windsor, NY 12553

X

39-2-7
Edw J. Jr. & Bethann Yano
54 Harth Drive
New Windsor, NY 12553

X

39-2-24
Thomas Gayton Sr.
3 Cresthaven Drive
New Windsor, NY 12553

X

39-1-6
Carmine Arrucci
Karen Tobin
55 Harth Drive
New Windsor, NY 12553

X

39-2-8
Philip & Linda Schulman
56 Harth Drive
New Windsor, NY 12553

X

39-2-25
Michael & Carolyn Stech
1 Cresthaven Drive
New Windsor, NY 12553

X

39-1-7
Francis & Margo Bedetti
57 Harth Drive
New Windsor, NY 12553

X

39-2-9
Lawrence & Mary McGuire
58 Harth Drive
New Windsor, NY 12553

X

39-2-26
Kevin & Evelyn Woods
38 Harth Drive
New Windsor, NY 12553

X

39-1-8
Nancy Lopez
59 Harth Drive
New Windsor, NY 12553

X

39-2-17
William King
17 Cresthaven Drive
New Windsor, NY 12553

X

39-2-27
Paul & Dorothy Suto
40 Harth Drive
New Windsor, NY 12553

X

39-2-1
Dennis & Laurie Hanrahan
42 Harth Drive
New Windsor, NY 12553

X

39-2-18
John & Eileen Sweeney
15 Cresthaven Drive
New Windsor, NY 12553

X

39-3-1
Roger, Elida & Wilbert Gutierrez
36 Harth Drive
New Windsor, NY 12553

X

39-2-2
Louis & Lucy Damone
44 Harth Drive
New Windsor, NY 12553

X

39-2-19
Brian & Eileen Doyle
13 Cresthaven Drive
New Windsor, NY 12553

X

39-3-2
Kasem & Kom-Kuy Chalermvong
2 Cresthaven Drive
New Windsor, NY 12553

X

39-2-3
Joseph & Anna Lucera
46 Harth Drive
New Windsor, NY 12553

X

39-2-20
James Mc Mongile
C/o Anita Jean Mc Mongile
12 Camelot Drive
Marlboro, NY 12542

X

39-3-3
Anthony Jr. & Cele Cimorelli
276 Temple Hill Road Unit#902
New Windsor, NY 12553

X

Date

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane DB.
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
5/14/01	Zoning Board Mtg	75 00	
	Misc -		
	Zupitza - 3 - 13.50.		
	Byron - 1		
	Mt. Larry - 3		
	Belts - 3		
	Waldo - 2		
	Merced - 2		
	Bila / Big U Centre - 8	157 50	
	Bila / K Mart - 5		
	Bila / K Mart - 3	232 50	
	Gargiulo / Lyons - 3 // 35 Pgs.		

PRELIMINARY MEETINGS:

ZUPITZA, ROBERT

Mr. Robert Zupitza appeared before the board for this proposal.

MR. TORLEY: Request for 8 ft. side yard and 8 ft. rear yard for existing shed, plus 11 ft. rear yard variance for an existing deck at 5 Valewood Drive in an R-4 zone.

MR. ZUPITZA: No, the existing deck, there's going to be a new deck put on and the shed is there now. What does it say about the shed?

MR. TORLEY: Request for eight foot side yard and eight foot rear yard, meaning you're only 2 feet off the property line, you have to be 10, you're asking a variance of 8 feet from the code.

MR. ZUPITZA: Let's go 9, play it safe, I don't want to have a problem.

MR. TORLEY: Please make that, can we change that, he wants to change it to 9 rather than 8. For anybody else, we're going by your measurements, if you ask for a ten foot variance and turns out you need a ten foot six inch variance, surveyor can come in later on and you have to start all over.

MR. ZUPITZA: Give me the foot.

MS. CORSETTI: There's no existing deck.

MR. ZUPITZA: Deck was torn off, I'm building a new deck.

MR. BABCOCK: It's a proposed deck.

MS. CORSETTI: It says on the notes of disapproval, existing.

MR. ZUPITZA: New deck is going to be roughly 18, I've got 44 from the property line from my house now, I'm

coming out 18.

MR. TORLEY: New deck is bigger than the old deck?

MR. ZUPITZA: Yes.

MR. TORLEY: Same size, might not have needed a variance for that if it was five or six feet short.

MR. ZUPITZA: I'm looking for, this is going to be 18, which is going to put me, I'll play it safe, give me an extra foot each way so I don't have a problem.

MR. TORLEY: So you're asking for a 12 foot variance then, you're supposed to have 40 feet and you have 29 and we need an 11 foot variance.

MR. ZUPITZA: I have 44 now, I'm coming out 18, so you deduct 18 from 44, what do you get?

MR. TORLEY: 26.

MR. ZUPITZA: That means 14, 15 play it safe.

MR. TORLEY: Mike, you can change these? When you come back in general before that, talk to Mike, make sure you have the numbers right because everything has to be done by a public hearing. We have a preliminary hearing so we can get a feeling of what you want to do, you can answer our questions so nobody gets surprised at the public hearing.

MR. ZUPITZA: Okay.

MR. REIS: What's the final numbers?

MR. TORLEY: Requesting a 9 foot side and rear yard variance for the shed and a 16 foot variance for the deck, we appreciate some photographs when you come back, stake out where the deck is going to be, that will give us some feel of how it's sitting on the property and say why you can't move the shed, things like that.

MR. KRIEGER: If you'd address yourself to the criteria

on that sheet, that would be helpful, since those are the criteria according to the state on which the zoning board must decide.

MR. TORLEY: Gentlemen, do you have any other questions?

MR. MC DONALD: I don't.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I make a motion that we set up Mr. Zupitza for his public hearing for his requested variances.

MR. MC DONALD: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE

MR. TORLEY: Part of the process is you have to send out a mailing to all your neighbors saying that you, telling them that there's going to be public hearing on what you wanted to do. That mailing is not always, it's legally required but not always as clear as you'd like, but make sure you talk to your neighbors so they know that you're putting in a deck, not a toxic waste dump, tower or anything, something like that.

Pls. publish immediately. Send bill to Applicant @ below address.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 10

Request of Robert Zupitza

for a VARIANCE of the Zoning Local Law to Permit:

proposed rear deck w/ insufficient rear yard, plus existing shed w/ insufficient side yard and total side yard;

being a VARIANCE of Section 48-12 - Table of Bulk Regs. - Col. F & G

for property situated as follows:

5 Valewood Drive, New Windsor, N.Y.

known and designated as tax map Section 39, Blk. 2 Lot 28

PUBLIC HEARING will take place on the 11th day of June, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

LIBER 2803 PG 40

FORM 3256

Standard N.Y.B.T.U. Form 8007 HN 17 168 Bargain and Sale Deed with Covenant against Grantor's Acts — Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 15th day of September, nineteen hundred and Eighty-
BETWEEN WILLIAM FATT, DENNIS FATT and HARRY FATT, residing Seven
at 5 Valewood Drive, New Windsor, New York 12550

party of the first part, and ROBERT J. ZUPITZA and THERESE ZUPITZA, presently
residing at 1201 East 34th Street, Brooklyn, New York 11210

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

-----ONE (\$1.00)----- dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, Orange County, New York, known as

Lot No. 5 Valewood Drive, as shown on Map of Plot F, Willow Acres Development, Schoonmaker Brothers, Town of New Windsor, Orange County, New York, May 1961, made by Nial Sherwood, C.E. #6944, Liberty, N.Y., dated June 5, 1961, filed October 26, 1961, as Map No. 1936, Orange County Clerk's Office, and which lot is more particularly bounded and described as follows:

SECTION 39

BLOCK 3

LOT 28

BEGINNING at a point on the northerly bounds of Valewood Drive, said point being North 70 degrees 22' East 180 feet from the southeast corner of Lot No. 34 Harth Drive according to Map of Plot "E", Willow Acres Development, filed in the Orange County Clerk's Office January 30, 1961 as Map No. 1909, and runs thence North 70 degrees 22' East along said northerly bounds of Valewood Drive 90 feet to a point; thence North 19 degrees 38' West, 110 feet to a point; thence south 70 degrees 22' west 90 feet to a point; thence south 19 degrees 38' east 110 feet to place of beginning. Containing more or less land, as surveyed by Alger O. Royce, L.S., Liberty, New York.

TOGETHER WITH AND SUBJECT TO the same rights, covenants, and restrictions set forth in the deed Schoonmaker Bros., Inc., to Aaron Fatt and Evelyn G. Fatt, his wife, dated June 28, 1965, recorded July 1, 1965, in Liber 1717 of Deeds, Page 834, Orange County Clerk's Office.

Said Aaron Fatt having died October 29, 1981, survived by his said wife, Evelyn G. Fatt, and said Evelyn G. Fatt having thereafter died intestate November 11, 1983, survived by her three children, William J. Fatt, Dennis A. Fatt and Harry A. Fatt, as her sole distributees and heirs at law.

Being the same lands and premises described in a deed from William J. Fatt, Dennis A. Fatt and Harry A. Fatt to William J. Fatt, Dennis A. Fatt and Harry A. Fatt as joint tenants with right of survivorship dated December 3, 1985 and recorded in the Orange County Clerk's Office in Liber 2447 of deeds at page 146.

STATE OF NEW YORK, COUNTY OF ORANGE

ss:

On the _____ day of September 19 87, before me personally came William Fatt, Dennis Fatt and Harry Fatt

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.


notary public

KENNETH A. REDDING
Notary Public, State of New York
No. 02RE4774779
Qualified in Ulster County
Term Expires May 31, 1988

STATE OF NEW YORK, COUNTY OF

ss:

On the _____ day of _____ 19____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

that he is the
of _____

_____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

ss:

On the _____ day of _____ 19____, before me personally came _____

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF

ss:

On the _____ day of _____ 19____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he resides at No. _____

that he is the
of _____

_____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. _____

WILLIAM FATT, DENNIS FATT AND
HARRY FATT,

TO

ROBERT J. ZUPITZA AND THERESE
ZUPITZA

SECTION

BLOCK

LOT

COUNTY OR TOWN

Recorded at Request of COMMONWEALTH LAND
TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



COMMONWEALTH LAND
TITLE INSURANCE COMPANY
A Reliance Group Holdings Company

DAN BLOOM, ESQ.
BLOOM & BLOOM, ESQS.
P.O. BOX
NEW WINDSOR, NEW YORK Zip No. 12550

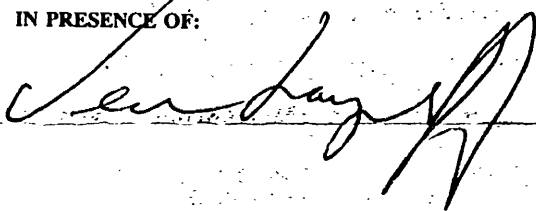
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



WILLIAM FATT

DENNIS FATT

HARRY FATT

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

01-10.
Date: 5/14/01

I. Applicant Information:

- (a) ROBERT ZUPITZA 5 VALEWOOD DR. ROBERT ZUPITZA
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-4 5 VALEWOOD DR. 39-3-28 .25 ACRE
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1987
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? YES
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located ☒ in or within 500 ft. of a County Agricultural District: Yes ☐ No ☒.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

VI ☒ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. E & G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
SHED FROM → 10 FT REAR → 10 FT Reqd. Side Yd.		1 FT 1 FT
Reqd. Rear Yd. 40 FT		25 FT. DECK
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** No-residential districts only

☒ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:—

BECAUSE I WOULD LIKE TO PUT A NORMAL SIZED
DECK OFF THE REAR OF MY HOUSE

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: $2/14$

(a) Variance requested from New Windsor Zoning Local Law,
Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1			
Sign			
Sign 3			
Sign			

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. *N/A.*

(a) Interpretation requested of New Windsor Zoning Local Law,
Section _____, Table of _____ Regs.,
Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

DECK WILL BE CONSTRUCTED TO CODE AND ALL
SAFETY STANDARDS.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: May 23, 2001.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Robert Zupitza
(Applicant)

Sworn to before me this

13th day of May, 2001.

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2001.